

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

CEMENT MASONS' PENSION TRUST  
FUND-DETROIT & VICINITY, *et al*,

Case No.07-cv-12637-PDB-DAS

Plaintiffs,

v

Hon. Paul D. Borman

WEST SIDE CONSTRUCTION COMPANY,

Defendant.

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AMENDED ORDER FOR EXAMINATION OF JUDGMENT  
DEBTOR AND RESTRAINING TRANSFER OF CERTAIN  
PROPERTY SUPPLEMENTARY TO JUDGMENT

Lawrence Yaklin

THIS MATTER having come before the Court on Plaintiffs' Motion for Examination of Judgment Debtor and Restraining Transfer of Certain Property Supplementary to Judgment, and said Motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and having issued an Order on May 7, 2008 [Docket No. 23], and being advised that Plaintiffs were unable to effect service of process upon Lawrence Yaklin prior to the originally scheduled examination date, and the Court being otherwise fully advised in the premises,

NOW THEREFORE, upon motion of Erman, Teicher, Miller, Zucker & Freedman, P.C., attorneys for Plaintiffs,

IT IS ORDERED that Lawrence Yaklin, officer and director of defendant West Side Construction Company, whose address is 7810 Morrow Rd., Marine City, Michigan 48039, appear at the law offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034 on **Tuesday, July 29, 2008 at 10:30 a.m.** to

be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against defendant corporation on December 3, 2007.

IT IS FURTHER ORDERED that said person shall bring with him the following books, records and papers in his possession, custody or control as they relate to Defendant West Side Construction Company:

1. All checkbooks, check registers, check stubs, cancelled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which said defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by, or on behalf of, defendant with the Internal Revenue Service, State of Michigan and any municipal governments, relating to any income received, property owned, business activities, sales or intangibles tax, of defendant at any and all times during the period of three (3) years immediately preceding the date hereof or date of cessation of business, whichever is earlier.

3. All books of account and accounts receivable ledgers.

4. List of assets and liabilities.

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by or on behalf of defendant at any time during the five (5) years immediately preceding the date hereof or date of cessation of business, whichever is earlier.

6. Copies of all profit and loss statements and balance sheets relating to the affairs of defendant prepared by, or on behalf of, said defendant during the period of three (3) years immediately preceding the date hereof or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said Defendant, West Side Construction Company, and its officers and directors, are restrained from transferring or disposing of any property of the corporation, whether now owned or hereafter acquired, or becoming due to Defendant, until further order of this Court. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: July 2, 2008

#### CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 2, 2008.

s/Denise Goodine  
Case Manager